

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SEVENTH LEGISLATURE

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**Legislative Document**

**No. 389**

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H. P. 324

House of Representatives, January 28, 1975

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr Quinn of Gorham. (By Request)

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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**AN ACT to Require an Advisory Referendum on the Ratification by the  
Maine Legislature of the Equal Rights Amendment to the United States  
Constitution.**

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Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. Advisory referendum on ratification by the Maine Legislature of Equal Rights Amendment to the United States Constitution.** The Secretary of State shall at the next general election in the month of November or special state-wide election on the Tuesday following the first Monday of November following the passage of this Act, hold an Advisory Referendum to determine the sentiment of the people of this State concerning the ratification by the 106th Maine Legislature of the Equal Rights Amendment to the Constitution of the United States.

**Sec. 2. Form of question and date when advisory question shall be voted upon.** The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this State are empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives at the next general election in the month of November or special state-wide election on the Tuesday following the first Monday of November following the passage of this Act to give in their votes upon the advisory question proposed in this section, and the question shall be:

“Do you approve of the ratification of the Equal Rights Amendment to the United States Constitution by the 106th Legislature?”

The inhabitants of said cities, towns and plantations shall vote by ballot on said question, and shall indicate by a cross or check mark placed against the

words "Yes" or "No" their opinion of the same. The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the office of the Secretary of State in the same manner as votes for Governor and Members of the Legislature, and the Governor and Council shall review the same. The Governor shall forthwith make known the outcome of the referendum by proclamation.

The Secretary of State shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with this Act, accompanied by a copy thereof.

#### STATEMENT OF FACT

This Act provides for an advisory opinion on the ratification of the federal Equal Rights Amendment by the 106th Legislature. The practical result will be to require a public opinion poll to ratify actions already taken by the Legislature. Whether such ratification will be directive or can in any way change the constitutional process already underway has never been addressed by the courts.